

REMARKS

Claims 31-51, 53-56 and 58-70 are pending herein. By this Supplemental Amendment, claims 52 and 57 are canceled.

I. Support for Prior Amendments to Claims 32, 50, 69 and 70

In the September 17, 2003 Amendment, claims 32 and 50 were amended and claims 69 and 70 were added, each to include the phrase "wherein the formation of said thin film is conducted at a thin film deposition rate in a manner that a particle occurrence frequency dependent on the thin film deposition rate is restrained so that the production yield rate dependent on the particle occurrence frequency is within tolerance." The Amendment inadvertently failed to note the support for such language in the original specification.

Applicants respectfully submit that the foregoing phrase does not constitute new matter as it is supported in the original specification at least at, for example, page 2, line 10 to page 3, line 22, page 6, lines 9-16, page 26, lines 6-11, page 27, lines 8-12, page 29, lines 2-16 and page 34, lines 5-10.

II. Shinji, Yang and Inoue are not Prior Art Against the Claimed Invention

The present application claims foreign priority to Japanese Patent Application No. 10-217433 filed in Japan on July 31, 1998. The filing date of this Japanese priority application is prior to the publication date of JP 11-12730 (Shinji) (published January 19, 1999) and the earliest U.S. filing dates of both U.S. Patent No. 6,358,636 (Yang) (November 5, 1998) and U.S. Patent No. 6,309,515 (Inoue) (October 29, 1998).

Thus, none of these three references are prior art against the present claims. To perfect Applicants' foreign priority claim, submitted herewith is a verified English-language translation of Applicants' Japanese priority document.

As a result, the following rejections should be overcome as moot: (1) the rejection of claims 31, 47, 49, 50 and 60 under 35 U.S.C. §102(a) as allegedly being anticipated by Shinji considered together with Yang; (2) the rejection of claims 32, 51-54, 63 and 64 under 35


U.S.C. §103(a) as allegedly being unpatentable over the teachings of Shinji and Yang, in view of the teachings of Inoue; and (3) the rejection of claims 34, 42 and 55-57 under 35 U.S.C. §103(a) as allegedly being unpatentable over the teachings of Shinji and Yang in view of the teachings of Inoue, and further in view of the teachings of Mitsui (U.S. Patent No. 6,087,047).

The only remaining prior art rejection is of claims 31, 33, 41, 48-50, 65 and 66 under 35 U.S.C. §103(a) as allegedly being unpatentable over the teachings of Mitsui, which rejection was addressed in the September 17, 2003 Amendment.

III. Conclusion

In view of the foregoing amendments and remarks, in addition to the amendments and remarks submitted in the September 17, 2003 Amendment, Applicants submit that claims 31-51, 53-56, and 58-70 are in condition for allowance. Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,


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Verified English-language translation of priority document